

# MISSOURI COURT OF APPEALS WESTERN DISTRICT

**NORTH AMERICAN SAVINGS BANK. F.S.B.,**

**Appellant,**

**v.**

**DARCY WILLIAMSON, CHAPTER 7 TRUSTEE,**

**Respondent.**

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DOCKET NUMBER WD78389

**Date: March 8, 2016**

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Appeal from:  
Clay County Circuit Court  
The Honorable Larry D. Harman, Judge

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Appellate Judges:  
Division One: Lisa White Hardwick, Presiding Judge, Victor C. Howard and Gary D. Witt, Judges

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Attorneys:  
Thomas M. Franklin, Leawood, KS for appellant.  
Robert J. Bjerg, Overland Park, KS for respondent.

# **MISSOURI APPELLATE COURT OPINION SUMMARY**

## **COURT OF APPEALS -- WESTERN DISTRICT**

**NORTH AMERICAN SAVINGS BANK. F.S.B.**

**Appellant,**

**v.**

**DARCY WILLIAMSON, CHAPTER 7 TRUSTEE,**

**Respondent.**

WD78389

Clay County

Before Division One: Lisa White Hardwick, Presiding Judge, Victor C. Howard and Gary D. Witt, Judges

North American Savings Bank, F.S.B. ("NASB") appeals the circuit court's order denying its petition to quiet title to property located in Clay County, Missouri. NASB contends the circuit court erroneously applied the law in concluding that McCorkendale Construction, Inc. ("McCorkendale") had superior interests in the real property. NASB argues that the foreign judgment McCorkendale registered in Missouri could not create a valid, enforceable judgment lien on the property.

**REVERSED.**

Division One holds: In affording full faith and credit to the valid judgments of other states, Missouri courts accept the judgment only in the form in which it was rendered. Because the foreign judgment specifically prohibited McCorkendale from asserting a lien on the property, McCorkendale obtained no rights in the property through registration of that foreign judgment. Therefore, NASB's interest through its quitclaim

deeds necessarily defeats McCorkendale's claim that it has superior interests in the property. The judgment is reversed and judgment is entered in favor of NASB.

Opinion by: Lisa White Hardwick, Judge

**March 8, 2016**

<b>THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.</b>
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